

117TH CONGRESS
1ST SESSION

S. 2650

To provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2021

Mr. MERKLEY (for himself, Mr. WYDEN, Mr. PADILLA, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Resilient
5 Communities Act”.

6 **SEC. 2. FUNDING FOR HAZARDOUS FUELS REDUCTION**
7 **PROJECTS ON CERTAIN FEDERAL LAND.**

8 (a) DEFINITIONS.—In this section:

9 (1) AGENCY HEAD.—The term “agency head”
10 means—

1 (A) the Director of the National Park
2 Service;

3 (B) the Chief of the Forest Service;

4 (C) the Director of the Bureau of Land
5 Management;

6 (D) the Director of the United States Fish
7 and Wildlife Service; and

8 (E) the Director of the Bureau of Indian
9 Affairs.

10 (2) AT-RISK COMMUNITY; FIRE REGIME I; FIRE
11 REGIME II; FIRE REGIME III.—The terms “at-risk
12 community”, “fire regime I”, “fire regime II”, and
13 “fire regime III” have the meanings given those
14 terms in section 101 of the Healthy Forests Res-
15 toration Act of 2003 (16 U.S.C. 6511).

16 (3) COVERED LAND.—The term “covered land”
17 means Federal land under the jurisdiction of the ap-
18 plicable agency head.

19 (4) HAZARDOUS FUELS REDUCTION
20 PROJECT.—The term “hazardous fuels reduction
21 project” means the removal or modification of flam-
22 mable vegetation or woody debris through prescribed
23 fire, thinning, brush removal, mastication, pruning,
24 slash treatment, or a combination of those methods,
25 on the condition that the method is ecologically ap-

1 appropriate, cost-effective, and selected on a site-spe-
 2 cific basis.

3 (b) HAZARDOUS FUELS REDUCTION PROJECTS.—

4 (1) IN GENERAL.—The agency heads shall
 5 carry out hazardous fuels reduction projects on cov-
 6 ered land.

7 (2) PROJECT PRIORITIES.—In carrying out
 8 paragraph (1), the agency heads shall prioritize haz-
 9 ardous fuels reduction projects that are—

10 (A) conducted in areas that—

11 (i) are within or adjacent to—

12 (I) at-risk communities; or

13 (II) high-value watersheds;

14 (ii) have very high wildfire hazard po-
 15 tential; or

16 (iii) are in fire regime I, fire regime
 17 II, or fire regime III; or

18 (B) designed to integrate and simulta-
 19 neously advance 2 or more of the goals estab-
 20 lished in the report of the Secretary of Agri-
 21 culture and the Secretary of the Interior enti-
 22 tled “The National Strategy: the Final Phase of
 23 the Development of the National Cohesive
 24 Wildland Fire Management Strategy” and
 25 dated April 2014—

- 1 (i) to create fire-adapted communities;
- 2 (ii) to restore and maintain resilient
- 3 landscapes; and
- 4 (iii) to achieve safe, effective fire re-
- 5 sponse.

6 (c) FUNDING.—

7 (1) IN GENERAL.—On the first October 1 fol-
8 lowing the date of enactment of this Act, out of any
9 funds in the Treasury not otherwise appropriated,
10 the Secretary of the Treasury shall transfer to the
11 agency heads, in accordance with an allocation for-
12 mula established by the Secretary of the Treasury,
13 \$30,000,000,000, to remain available until ex-
14 pended.

15 (2) RECEIPT AND ACCEPTANCE.—The agency
16 heads shall be entitled to receive, shall accept, and
17 shall use to carry out this section the funds trans-
18 ferred under paragraph (1), without further appro-
19 priation.

20 (3) ADMINISTRATIVE AND PLANNING COSTS.—
21 Not more than 10 percent of funding made available
22 under paragraph (1) may be used for administrative
23 and planning costs.

1 **SEC. 3. COMMUNITY PLANNING ASSISTANCE FOR AT-RISK**
2 **COMMUNITIES.**

3 (a) DEFINITIONS.—In this section:

4 (1) AT-RISK COMMUNITY; COMMUNITY WILD-
5 FIRE PROTECTION PLAN.—The terms “at-risk com-
6 munity” and “community wildfire protection plan”
7 have the meanings given those terms in section 101
8 of the Healthy Forests Restoration Act of 2003 (16
9 U.S.C. 6511).

10 (2) FEDERAL LAND.—The term “Federal land”
11 means the following:

12 (A) National Forest System land reserved
13 from the public domain.

14 (B) The following land administered by the
15 Secretary of the Interior:

16 (i) Public lands (as defined in section
17 103 of the Federal Land Policy and Man-
18 agement Act of 1976 (43 U.S.C. 1702)).

19 (ii) A unit of the National Park Sys-
20 tem.

21 (iii) A unit of the National Wildlife
22 Refuge System.

23 (iv) Land held in trust for an Indian
24 Tribe.

25 (3) HAZARDOUS FUELS REDUCTION
26 PROJECT.—The term “hazardous fuels reduction

1 project” means the removal or modification of flam-
2 mable vegetation or woody debris through prescribed
3 fire, thinning, brush removal, mastication, pruning,
4 slash treatment, or a combination of those methods,
5 on the condition that the method is ecologically ap-
6 propriate, cost-effective, and selected on a site-spe-
7 cific basis.

8 (4) INDIAN TRIBE.—The term “Indian Tribe”
9 has the meaning given the term in section 4 of the
10 Indian Self-Determination and Education Assistance
11 Act (25 U.S.C. 5304).

12 (5) SECRETARIES.—The term “Secretaries”
13 means the Secretary of the Interior and the Sec-
14 retary of Agriculture.

15 (b) DEVELOPMENT OF MAP.—Not later than 180
16 days after the date of enactment of this Act, and periodi-
17 cally thereafter, the Secretaries shall develop and publish
18 a map depicting at-risk communities, including Tribal at-
19 risk communities.

20 (c) PLANNING AND PREPARING AT-RISK COMMU-
21 NITIES FOR WILDFIRE.—Subject to the availability of ap-
22 propriations, the Secretaries shall provide financial and
23 technical assistance to at-risk communities adjacent to
24 Federal land, including through States, to assist the at-

1 risk communities in planning and preparing for wildfire,
2 including—

3 (1) cosponsoring and supporting the expansion
4 of—

5 (A) the Firewise USA Program;

6 (B) the Ready, Set, Go program;

7 (C) the Living with Wildfire program; or

8 (D) programs similar to the programs re-
9 ferred to in subparagraphs (A) through (C)
10 that are designed to advance fire-adapted com-
11 munities;

12 (2) supporting the development, updating, and
13 implementation of community wildfire protection
14 plans;

15 (3) carrying out risk assessments and creating
16 maps that depict wildfire risk, investment scenarios,
17 and tradeoffs to assist in planning for response and
18 suppression resource needs and implementing haz-
19 ardous fuels reduction projects;

20 (4) sharing costs to create defensible space for
21 a distance of not less than 100 feet around a resi-
22 dence that was built before the date of enactment of
23 this Act; and

1 (5) planning and implementing cross-boundary
 2 hazardous fuels reduction projects as identified in a
 3 community wildfire protection plan.

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
 5 authorized to be appropriated \$1,000,000,000 to carry out
 6 this section for each fiscal year.

7 **SEC. 4. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
 8 **TION PROGRAM.**

9 (a) PROPOSAL SELECTION PROCESS.—Section
 10 4003(d) of the Omnibus Public Land Management Act of
 11 2009 (16 U.S.C. 7303(d)) is amended by striking para-
 12 graph (3) and inserting the following:

13 “(3) LIMITATION.—The Secretary may select
 14 not more than the number of proposals under para-
 15 graph (1) that the Secretary determines are likely to
 16 receive adequate funding.”.

17 (b) PERMANENT REAUTHORIZATION.—Section
 18 4003(f)(6) of the Omnibus Public Land Management Act
 19 of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking
 20 “\$80,000,000 for each of fiscal years 2019 through 2023”
 21 and inserting “\$100,000,000 for fiscal year 2022 and
 22 each fiscal year thereafter”.

23 **SEC. 5. COUNTY STEWARDSHIP FUND.**

24 Section 604 of the Healthy Forests Restoration Act
 25 of 2003 (16 U.S.C. 6591c) is amended—

1 (1) by redesignating subsection (j) as sub-
2 section (k); and

3 (2) by inserting after subsection (i) the fol-
4 lowing:

5 “(j) COUNTY STEWARDSHIP FUND.—

6 “(1) IN GENERAL.—There is established in the
7 Treasury of the United States a fund to be known
8 as the ‘County Stewardship Fund’ (referred to in
9 this section as the ‘Fund’), to be administered by
10 the Secretary.

11 “(2) DEPOSITS.—Each fiscal year, an amount
12 equal to 25 percent of the amounts collected as re-
13 ceipts under subsection (e) during the preceding fis-
14 cal year shall be deposited in the Fund.

15 “(3) AVAILABILITY.—Amounts in the Fund
16 shall—

17 “(A) be used only for purposes described
18 in paragraph (4); and

19 “(B) remain available until expended.

20 “(4) PURPOSES.—

21 “(A) IN GENERAL.—Each fiscal year, the
22 Chief or the Director, as applicable, shall dis-
23 tribute from amounts in the Fund to each
24 county in which a contract under subsection (b)
25 was carried out on Federal land in the county

1 during the preceding fiscal year a payment of
2 an amount equal to 25 percent of the receipts
3 generated from that contract.

4 “(B) USE OF FUNDS.—A county receiving
5 a payment under subparagraph (A) may use
6 the payment for any governmental purposes.”.

○